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FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3698
INFO RUEHSW/AMEMBASSY BERN PRIORITY 1079
RUEHBR/AMEMBASSY BRASILIA PRIORITY 6694
RUEHCV/AMEMBASSY CARACAS PRIORITY 7471
RUEHLP/AMEMBASSY LA PAZ APR 7879
RUEHPE/AMEMBASSY LIMA PRIORITY 3501
RUEHMD/AMEMBASSY MADRID PRIORITY 8961
RUEHNY/AMEMBASSY OSLO PRIORITY 0304
RUEHQT/AMEMBASSY QUITO PRIORITY 4159
RUEHUB/USINT HAVANA PRIORITY 0074

C O N F I D E N T I A L BOGOTA 002902

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E.O. 12958: DECL: 03/30/2016
TAGS: [PGOV](#) [PREL](#) [PTER](#) [MARR](#) [CO](#)
SUBJECT: PEACE COMMISSIONER RESTREPO AND AMBASSADOR DISCUSS
AUC, ELN, FARC DEVELOPMENTS

Classified By: Ambassador William B. Wood
Reason: 1.4 (b,d)

Summary

¶1. (C) Peace Commissioner Luis Carlos Restrepo and Ambassador Wood discussed paramilitary demobilizations; an AUC proposal to employ demobilized paramilitaries as manual drug eradicators; prosecutions associated with the Justice and Peace process; the GOC-ELN exploratory peace talks; and the FARC during a 90-minute meeting March 30. Restrepo said the completion of two delayed demobilizations currently underway would mean the GOC had demobilized virtually all paramilitaries and their structures; he was "surprised and pleased" at the extent of the GOC's success. The small groups of paramilitaries who had not demobilized would face military action because the GOC would "close the door" on collective and individual demobilizations. Renegade elements who returned to drug trafficking or other criminality would also face attack. The Ambassador and Restrepo agreed that an AUC plan to employ 20,000 demobilized as manual eradicators in their former zones of influence was unacceptable because it would perpetuate AUC structures and chain of command; Restrepo said he would not move forward on any such proposal without significant amendments and further Embassy consultations. The Peace Commissioner said he would give President Uribe two lists of demobilized at the end of April or early May. The first would contain the names of about 28,000 demobilized, and the second would be comprised of about 3,000 of this group who had signed letters agreeing to be processed under the Justice and Peace law. The Ambassador and Restrepo agreed that the Fiscalia would require additional resources to interview the smaller group about their personal criminal culpability or roles as witnesses to crimes. Turning to the ELN, Restrepo said the GOC was considering the guerrilla group's request to meet in Bogota with Embassy representatives of the G-24. The Ambassador said the U.S. wanted to be helpful to the process but would not consider meeting with the ELN under any circumstances until it agreed to a cease-fire and stopped kidnappings. He said the U.S. would be willing to attend at Counselor level a meeting of the diplomatic corps to support the process, provided it was protocolary only and not substantive. According to Restrepo, the ELN is still anxious to move the talks from Cuba to Europe because ELN leaders want access to the group's substantial finances, apparently located there,

and aims to weaken and eventually eliminate the EU's designation of the ELN as a terrorist organization. The GOC would not agree to move the talks without a major ELN concession, at least a cease-fire. With regard to the FARC, Restrepo said Uribe had agreed to allow the "international commission" to meet with the terrorist group. In Restrepo's view, mid-level FARC guerrillas are increasingly demoralized. End summary.

Demobilizations Almost Completed

¶2. (C) Restrepo told the Ambassador that two recalcitrant paramilitary blocs (Elmer Cardenas and Los Llanos) had recently started their demobilizations. When completed, the AUC demobilization process would end and the GOC would "close the door" on further collective and individual demobilizations. The small number of paramilitaries who had not demobilized would face military and police action. Restrepo said renegade elements of demobilized groups had continued narcotrafficking in areas like Narino and Cordoba Departments; his advice to Uribe was that the GOC must address this matter soon to prevent it from growing into a bigger problem. The isolated areas where such paramilitaries continue to operate have a "history of illegality," lack police presence, and require both social programs and "anti-mafia actions," he said. Restrepo said he was attentive to the possibility that Norte del Valle drug cartel would commit atrocities to claim "political" status and said the GOC would not allow it. Overall, Restrepo was "surprised and pleased" that the GOC has demobilized "virtually all" paramilitaries and their structures. He was more optimistic after a positive meeting with demobilized paramilitary leaders on March 26 in Bogota, where he persuaded them to

reconsider their opposition to J&P processing.

Castano and Mancuso Make Proposal; Jorge 40 Worried

¶3. (C) Restrepo outlined a proposal he said Vicente Castano and Salvatore Mancuso had made to the GOC to employ 20,000 demobilized paramilitaries in manual eradication activities. The proposal contemplates deploying the paramilitaries to areas of their former influence. The plan suggests using police and military units already stationed in the regions to provide security to the eradicators. The Ambassador said he understood the concern for employing the demobilized, the need to eradicate in demobilized areas, and the GOC's resource constraints, but he had "profound doubts" because the proposal could perpetuate the paramilitary leadership structures, chain of command, and influence in these areas. Restrepo agreed, saying he would like to have further discussions with the Embassy about possible amendments to the proposal. He suggested, for example, deploying the eradicators to areas outside their former zones of influence. Restrepo promised to share the proposal with the Embassy and continue the discussion. Restrepo said Jorge 40 is a worried man because he had a dispute with other narcotraffickers and now "saw enemies everywhere."

Justice and Peace Letters and Lists

¶4. (C) According to Restrepo, almost 1,000 paramilitaries, including Castano, Mancuso, and Hernan Girardo, have signed letters agreeing to be processed under the Justice and Peace law (900 of whom are from the North Bloc). He expects up to 3,000 to sign the letters before April 4, when he will meet again with demobilized paramilitary leaders (this figure includes up to 1,200 applications Restrepo has received from prisoners). Restrepo told the Ambassador he had to choose carefully when to present this list to the Fiscalia because the GOC could not afford any backsliding in which paramilitary leaders reject J&P processing.

15. (C) Restrepo expected to give Uribe two lists by the end of April or early May: a list of the total demobilized, and a list of those demobilized who had signed J&P letters. (Restrepo had intended to give Uribe the lists prior to the March 12 Congressional elections but had to delay to ensure that Jorge 40's demobilization was included.) He would also provide evidence to the Fiscalía, such as about 80 cars and 16,000 weapons (stored at 23 locations and supervised by the armed forces) the paramilitaries had turned over.

16. (C) Signatories of the J&P letters would be subject to further Fiscalía "version libre" interviews under more rigorous J&P standards, which permit questions about atrocities and other grave human rights violations. In Restrepo's view, the Fiscalía should use regional prosecutors to interview all paramilitaries who sign such letters to assess their individual criminal culpability and value as witnesses. He said he had long regarded the demobilization "version libre" process as ineffective, because it took place under the eyes of the paramilitary commanders in the field. Interviewing the demobilized on the prosecutors' turf outside the presence of the leaders could be more effective, he said.

Legal Next Steps

17. (C) Restrepo said his task would be completed when he turned over the lists to the Fiscalía, but he would urge prosecutors to devote more resources to interviewing and processing cases. "They think they'll handle only 60 cases," he said. Restrepo agreed with the Ambassador that the Fiscalía would need to use the list of up to 3,000 to press for additional resources. According to Restrepo, the Supreme Council of the Judiciary was preparing to appoint J&P magistrates, an essential step that would allow the Fiscalía to move forward with prosecutions. He noted that extensive background investigations of magistrate candidates (required by the Procuraduria) had slowed the process down; the

Ambassador said some candidates had already been rejected in the screening effort.

GOC-ELN Exploratory Peace Talks

18. (C) Restrepo told the Ambassador that the ELN had made a request to the GOC through the civil society guarantors to meet with Embassy representatives of the G-24. The meeting would take place during ELN military commander and negotiator Antonio Garcia's trip to Bogota, approximately April 21-24. During the trip, Restrepo said Garcia would be surrounded by a heavy security presence, but his movements would show to the FARC that it was possible to conduct peace talks in Colombia. Uribe told Restrepo he did not want to place obstacles in the path of such discussions. Foreign Minister Barco said the GOC would do it if necessary, but she said many countries would have to consult with their capitals before agreeing to attend and deciding on their level of representation.

19. (C) The Ambassador said the U.S. wanted to show its support for the talks, but could not meet with the ELN bilaterally until the terrorist group agreed to a cease-fire and stopped kidnappings. U.S. representatives (but not the Ambassador) could be present at a broader ELN meeting with the entire diplomatic corps, convoked by the more protocolary Dean of the diplomatic corps (the Holy See), to show endorsement of the process. He said he opposed a G-24 meeting because that body had a substantive agenda and might try to play a role in the talks. Restrepo said the GOC did not want international involvement beyond the three "accompanying countries" (Spain, Norway, and Switzerland), which made him question the wisdom of the G-24 idea. He said he would further consider the ELN proposal in the light of

the Ambassador's comments.

¶10. (C) Restrepo told the Ambassador the ELN was still anxious to move the talks from Cuba to Europe. The ELN's leaders wanted access to substantial funds they had salted away in Europe, and were interested in pressing the EU to weaken and eventually eliminate the ELN's designation as a terrorist group. The GOC would not agree to move the talks until the ELN accepted a cease-fire (which could be characterized as "temporary" for the duration of the peace process) and stopped kidnappings (a likely corollary of which would be releasing kidnap victims). He said the "accompanying countries" had made a proposal to the ELN which required the ELN to stop kidnapping before future venues for talks are discussed. The GOC was comfortable with the talks remaining in Cuba because it had more control over the process. Restrepo noted that the authoritarian nature of the Cuban regime limited the ELN's ability to talk to the press or other potential supporters. Restrepo would travel to Cuba March 31 to deal with administrative arrangements associated with the third round of talks starting May 2, and planned to meet with Fidel Castro. He said neither the GOC nor the ELN could now walk away from the talks without being blamed, and it was important to keep talking. Nonetheless, the GOC would not agree to declare the exploratory phase concluded until the ELN committed to a cease-fire.

¶11. (C) The Ambassador passed to Restrepo details of an attack on a police contingent providing electoral security in Valle del Cauca on election day, March 12, allegedly carried out by about 25 ELN guerrillas in three waves over four hours (no casualties reported). The U.S. had learned of the attack because the GOC used U.S. anti-narcotics helicopters for electoral security patrols, and the helicopters had been used to assist the police defend their positions. The Ambassador said there were three ways to explain the incident: either the ELN's electoral truce declaration was not made in good faith, or a faction of the ELN did not obey it, or the guerrillas were not in fact ELN. Restrepo said he was not aware of the incident but would investigate it immediately.

GOC Agrees to Let International Commission Meet FARC

¶12. (C) Restrepo informed the Ambassador that Uribe had agreed to allow the "international commission" (the

"Technical Exploratory Commission," comprised of representatives of Spain, France, and Switzerland) to meet with the FARC. He said mid-level FARC ranks are "very demoralized."

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